

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LORAIN OBOMANU, as Personal
Representative of the Estate of
SABRIE L. ALEXANDER, Deceased,

Plaintiff,

vs.

Case Nos. 17-11435, 17-13749

MILLICENT WARREN, et al.,

HON. AVERN COHN

Defendants.

ORDER
GRANTING IN PART DEFENDANTS' MOTION TO DISMISS (Doc. 126)
AND
DENYING DEFENDANT'S MOTION FOR SANCTIONS (Doc. 136)

This is a prisoner civil rights case involving a death. Plaintiff Lorain Obomanu, as personal representative of the estate of Sabrie L. Alexander, is suing multiple individuals, two health services companies, and unnamed defendants, for a total of forty-four (44) defendants. Plaintiff asserts federal claims under 42 U.S.C. § 1983 for deliberate indifference to serious medical needs. In broad terms, plaintiff says that defendants failed to provide proper care for Alexander's medical conditions which ultimately resulted in her death. This is the second case filed by plaintiff regarding Alexander's death. The two cases have been consolidated and plaintiff was directed to file a consolidated amended complaint, referred to as the United Amended Complaint (UAC). See Doc. 116.

Before the Court is a motion to dismiss brought by the two health care

companies, Corizon and Valitas, and the following individuals: Drs. Claire Pei, Robert Lacey, Pu Qin, Audley Mamby, Aryan Taymour, and Physician Assistant Alice Kramer. (Doc. 126). Also before the Court is the moving defendants' motion for sanctions. (Doc. 136).

For the reasons stated on the record at the hearing on October 24, 2018 as supplemented here, the motion to dismiss is GRANTED IN PART AND DENIED IN PART. Count IV, alleging 8th Amendment violations, is DISMISSED as duplicative. The UAC contains sufficient allegations of wrongdoing against all of the moving defendants and there is no statute of limitations problem. The motion for sanctions is DENIED.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: 10/29/2018
Detroit, Michigan